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June 24, 2025

*Via ECF and Email (Failla\_NYSDChambersnysd.uscourts.gov)*

The Honorable Katherine Polk Failla, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

RE: Annette Kulick v. Gordon Property Group, LLC, et al.  
Docket No.: 1:23-cv-09928-KPF

Dear Judge Failla:

Saul Ewing LLP represents Defendants Gordon Property Group LLC, and Mark Borteck, (collectively, “**Defendants**”), in the above-referenced matter. Alex Rissmiller of Rissmiller PLLC represents Plaintiff, Annette Kulick (“**Plaintiff**”). The parties are in receipt of the Court’s Order dated June 20, 2025 (*See* ECF No. 63) granting in part and denying in part the requests in their joint letter dated June 18, 2025. (*See* ECF No. 62). The parties submit this letter requesting that the Court adjourn certain remaining deadlines in the Civil Case Management Plan and Scheduling Order (“**Scheduling Order**”) dated March 3, 2025. (*See* ECF No. 52). The parties jointly request that the post-factual discovery pretrial conference (**Pre-Trial Conference**) be adjourned from July 10, 2025 to July 18, 2025 or other date convenient to the Court and that the expert discovery deadline be adjourned from August 18, 2025 to September 18, 2025.

The parties request an adjournment of the **Pre-Trial Conference** date for two reasons. First, given that Plaintiff must produce all responsive search results to Defendants by no later than July 3, 2025 (*See* ECF No. 62), the parties require additional time to meaningfully review the documentation prior to submitting a timely pre-trial letter to the Court. At present, the joint pre-trial letter must be submitted on July 3, 2025. Second, due to an out of state obligation, I will be traveling on July 10, 2025 and have a conflict with the currently scheduled date.

With respect to the expert discovery deadline, the parties jointly request that the current deadline of August 18 be reset to September 18, to account for the new fact discovery deadline of July 9. The current Scheduling Order requires that all expert discovery including reports, production of underlying documents, and depositions be completed no later than August 18, 2025. (*See* ECF No. 52 at 7(f)). However, to leave time for a meaningful review of documents to be produced by July 3 prior to producing expert reports, the parties similarly request the deadline to deadline for completion of expert discovery be reset to **September 18, 2025**. The parties will

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jointly confer regarding deadlines for expert disclosures, including reports, production of underlying documents, and depositions as required by the **Scheduling Order**. (See ECF No. 52 at 8(g)).

Please advise if Your Honor has any questions or concerns.

Respectfully submitted,

/s/ Ruth A. Rauls

Ruth A. Rauls, Esq.

Application GRANTED. The deadline to complete expert discovery is hereby ADJOURNED to on or before **September 18, 2025**. The post-fact discovery pretrial conference previously scheduled for July 10, 2025, is hereby ADJOURNED to **July 18, 2025, at 4:00 p.m.**

The Clerk of Court is directed to terminate the pending motion at docket entry 64.

Dated: June 25, 2025  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE